



JFW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Bryan A. Lauer  
FOR : DECISION TREE LOGIC FOR  
DETERMINING THE OPTIMAL VALUE  
FOR QoS UPLINK AND DOWNLINK  
MAXIMUM BITRATE ATTRIBUTES  
SERIAL NO. : 10/695,086  
FILED : October 28, 2003  
EXAMINER : Unknown  
ART UNIT : 1086  
CONFIRMATION NO. : 4158  
ATTORNEY DOCKET NO. : LUTZ 2 00242  
Case Name/No. Lauer 2

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant submit the following Disclosure Statement concerning art of which the applicant is aware. A copy of PTO-1449 is enclosed herewith.

This Information Disclosure Statement shall not be construed to be an admission that any information referred to herein or submitted herewith is "prior art" or is considered to be material to patentability for this invention.

The United States Patent and Trademark Office OG Notice dated 12 October 2004 published a final rule revising 37 C.F.R. 1.98 dealing with the content of Disclosure Statements. Paragraph (a)(2) was revised to read in part, "A legible copy of: (i) Each foreign patent; (ii) Each publication or that portion which caused it to be listed, other than U.S. patents and U.S. patent application publications unless required by the

Office." Therefore, Applicant has not enclosed copies of the cited U.S. patents and published patent applications with this Information Disclosure Statement.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), a concise explanation of relevance is required for information that is not in the English language. Accordingly, the English language documents have no further explanation.

All of the cited and/or included documents were cited by the European Patent Office in a related application(s). A copy of the European Search Report is enclosed.

Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be charged to Deposit Account No. 06-0308.

It is respectfully requested that the attached documents be considered and officially cited in examination of this application.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

May 2, 2005  
Date

  
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216/861-5582

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CERTIFICATE OF MAILING

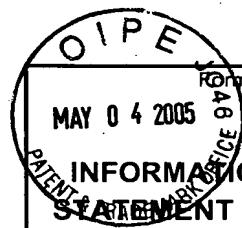
I certify that this Information Disclosure Statement and accompanying document(s) are being

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MAY 04 2005

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT(S)**

(Use as many sheets as necessary)

Sheet 1 of 1

**COMPLETE IF KNOWN**

Application Number	10/695,086
Filing Date	October 28, 2003
First Named Inventor	Bryan A. Lauer
Art Unit	1086
Examiner Name	Unknown
Attorney Docket No.	LUTZ 2 00242

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
	AA	US-		
	AB	US-		
	AC	US-		
	AD	US-		
	AE	US-		
	AF	US-		
	AG	US-		
	AH	US-		
	AI	US-		
	AJ	US-		
	AK	US-		
	AL	US-		

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T
		Country Code-Number Kind Code (if known)			
	AM	EP 1 096 742 A1	02.05.2001		
	AN	EP 1 276 345 A1	15.01.2003		
	AO				
	AP				

**OTHER -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
	AQ	"3 <sup>rd</sup> Generation Partnership Project, Technical Specification Group Services and System Aspects, Quality of Service (QoS) Concept and Architecture (Release 5)", 3 GPP TS 23107 V5.9.0, 1 June 2003 (2003-06-01), pages 1040, XP002320126.	
	AR	Communication	
	AS		
	AT		
	AU		
	AV		

Examiner Signature	Date Considered